

John J. Lindegren

1	3
IN THE UNITED STATES DISTRICT COURT	
FOR THE DISTRICT OF OREGON	
EUGENE DIVISION	
NICHOLAS JAMES MCGUFFIN, as ) an individual and as ) guardian ad litem, on ) behalf of S.M., a minor, )	
Plaintiffs, ) Case No.	
vs. )	
MARK DANNELS, PAT DOWNING, ) SUSAN HORMANN, MARY KRINGS, ) KRIS KARCHER, SHELLY ) MCINNES, RAYMOND MCNEELY, ) KIP OSWALD, MICHAEL REAVES, ) JOHN RIDDLE, SEAN SANBORN, ) ERIC SCHWENNINGER, ) RICHARD WALTER, CHRIS ) WEBLEY, ANTHONY WETMORE, ) KATHY WILCOX, CRAIG ZANNI, ) DAVID ZAVALA, JOEL D. ) SHAPIRO AS ADMINISTRATOR OF ) THE ESTATE OF DAVID E. ) HALL, VIDOQ SOCIETY, CITY ) OF COQUILLE, CITY OF ) COOS BAY, and COOS COUNTY, )	
Defendants. )	
DEPOSITION OF JOHN J. LINDEGREN	
January 4, 2023	
Wednesday	
10:38 a.m.	
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1	1
2	(Continuing)
3	For Defendants LAW OFFICE OF ROBERT E.
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11	McNeely, Kris BY: ROBERT E. FRANZ, JR.
12	Karcher, Pat (Appeared via telephone)
13	Downing, Mark
14	Dannels, )
15	Kip Oswald, )
16	Michael Reaves, )
17	David Zavala, )
18	Anthony Wetmore, )
19	Shelly McInnes: )
20	
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	Mary Krings, us
	Kathy Wilcox: BY: JESSE B. DAVIS
	(Appeared via telephone)
	Also Present: (None.)
	Reported By: Denise C. Zito Smith, CSR
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2	THE DEPOSITION OF JOHN J. LINDEGREN
3	was taken at the Coos Bay Public Library,
4	525 Anderson Avenue, in the City of Coos Bay, the
5	State of Oregon, before Denise C. Zito Smith, CSR,
6	Certified Shorthand Reporter, in and for the State
7	of Oregon.
8	
9	A P P E A R A N C E S
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	BY: JANIS C. PURACAL
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	(None.)
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<p>5</p> <p>1 JOHN J. LINDEGREN, 2 having been first duly sworn or affirmed to 3 testify the truth, the whole truth, and nothing 4 but the truth, was examined and testified as 5 follows: 6 7 EXAMINATION 8 BY MR. LAUERSDORF: 9 Q. Mr. Lindegren, my name is 10 Andy Lauersdorf. You and I have met once before 11 today; is that right? 12 A. That is right, sir. 13 Q. And you understand that I'm an 14 attorney representing the plaintiffs in this 15 matter? This is a lawsuit which is filed by 16 Mr. McGuffin against the City of Coquille and 17 former Police Chief Mark Dannels and a number of 18 other defendants; do you understand that? 19 A. I do, sir. 20 Q. And I represent Mr. McGuffin; do you 21 understand that? 22 A. I do, sir. 23 Q. Okay. Can you please state your full 24 name as given at birth? 25 A. John James Lindegren,</p>	<p>7</p> <p>1 Q. And when you say general delivery, is 2 that a post office box or -- 3 A. Yes, in Myrtle Point, Oregon. That's 4 where I get any of my mail. 5 Q. Is there a PO box number there? 6 A. No, sir. 7 Q. Okay. Are you currently employed? 8 A. Yeah, for myself, I guess. A trapper. 9 Q. Just like as a general contractor or a 10 handyman? 11 A. Yeah. I'm a carpenter by trade, a 12 journeyman level, but right now I'm not pounding 13 nails. I am catching coyotes for different 14 property owners that -- yeah, it keeps them away 15 from their livestock. 16 Q. And journeyman level, are you union? 17 A. Not now. 18 Q. Okay. So we're here today to conduct 19 your deposition; do you understand that? 20 A. I do, sir. 21 Q. And you are here to testify today in 22 response to a subpoena that you received? 23 A. That is correct. 24 Q. I'm going to show you this document. 25 If you can take a look at that and read it over</p>
<p>6</p> <p>1 L-i-n-d-e-g-r-e-n. 2 Q. Okay. Have you been known by any 3 other names or nicknames? 4 A. None. Well, yeah, a lot of nicknames 5 probably, but nothing that I can probably say. 6 Q. How about Big John, does that count as 7 one? 8 A. Yes. Big John, Wedge. 9 Q. Any others that if we were to ask 10 around about you they might not know you as 11 Big John, but they would know you as something 12 else? 13 A. I don't think so. 14 Q. Where were you born; place of birth? 15 A. North Bend. 16 Q. North Bend, Oregon? 17 A. Yes, sir. 18 Q. And what's your date of birth? 19 A. 7/8/1958. 20 Q. What's your current address? 21 A. General delivery, Myrtle Point, 22 Oregon, is my mailing address. I live up above 23 Powers right now. No address. 24 Q. And that's in a trapper shack? 25 A. Yeah. I'm up there trapping.</p>	<p>8</p> <p>1 and tell me if you recognize that at all? 2 A. Yeah, I've seen it. 3 Q. That's the subpoena that you were 4 served with? 5 A. Yes, sir. 6 Q. And that commanded you to appear at 7 the Coos Bay Public Library in Coos Bay, Oregon, 8 on January 4th at 10:30 a.m.; is that right? 9 A. That is correct. 10 Q. And today is Wednesday, January 4, 11 2023, and it's approximately 10:42 a.m.; do you 12 agree with that? 13 A. I agree. 14 Q. And you were on time. It's 10:42, but 15 I'll just say for the record you were here -- 16 A. I was here at 10:00. 17 Q. You were here early, that's right. 18 And this is the Coos Bay Public 19 Library; is that right? 20 A. It is. 21 Q. And that's in Coos Bay, Oregon? 22 A. Yes, sir. 23 Q. And your deposition today -- 24 MR. LAUERSDORF: Is it being broadcast 25 over the URL at all or just over the phone?</p>

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<p>1 Q. Okay. Do you know if Randy Ulmer and 2 Ray McNeely served at the Coquille Police 3 Department at the same time? 4 A. I believe so. 5 Q. Do you know how long -- 6 A. No idea. You'd have to ask them. 7 Q. Okay. And that interview was 8 recorded? 9 A. Yes. 10 Q. Was anyone there besides McNeely and 11 possibly Ulmer? 12 A. Not that I remember. 13 Q. And what specifically did you tell 14 police at that time? 15 A. I told him I was over at my sister's 16 house, and I watched the Survivor, and then I left 17 there and I came down. I said I saw two people 18 there, I went home. And they said, Do you know 19 who the people were? And I says, Yeah, I'm 20 relatively absolutely sure it was Leah Freeman. 21 Q. And how is it that you're absolutely 22 sure? 23 A. I knew her mother and I knew 24 Rich Courtright. I knew Rich, I'd hunted with 25 him, and I knew her mom, and I knew -- I knew</p>	<p>1 A. Oh, over the years several times, I'm 2 sure, because I'd been around those people most of 3 my life. 4 Q. Okay. So you knew her family members. 5 How many times did you actually speak 6 with Ms. Freeman? 7 A. Leah? 8 Q. Yes. 9 A. Probably once. 10 Q. Where was that? 11 A. Can't tell you. I probably -- I 12 talked to her several years earlier. 13 Q. So how old was she when you talked to 14 her? 15 A. I don't know, 10, 11. Young. 16 Q. So by the time you saw the person on 17 North Elm Street, Leah Freeman would have gone 18 through puberty, she would have matured a lot, she 19 looked a little bit different than a ten-year-old; 20 right? 21 A. Absolutely. 22 Q. So how many times -- 23 A. But I'm sure I'd seen her around town, 24 not to talk to her, but I knew who she was. I 25 knew who Cory was and knew...</p>
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<p>1 quite a few people. 2 Q. And I get that, but this is another 3 one of those places where I'm wondering about the 4 distinction between did you know the name? Did 5 you know the family? 6 A. I hunted with Rich. So, yeah, I knew 7 him okay. We cut firewood together, we elk hunted 8 together. 9 Q. Okay. But did you know her, 10 Leah Freeman? 11 A. Are you talking about Leah? 12 Q. Freeman. 13 A. Oh, I thought you were talking about 14 Mr. Courtright. 15 Q. No. 16 A. I'm trying to explain to you how I 17 knew her. 18 Q. Right. And what you're explaining is 19 you knew her family members -- 20 A. Right. 21 Q. -- and you knew of her? 22 A. Yeah. I met her and knew her. I 23 never talked to her or anything, but I had seen 24 her. 25 Q. When did you meet her?</p>	<p>1 Q. By 2010 Leah Freeman's picture had 2 been in the paper a lot; right? 3 A. I guess so. 4 Q. And posters had been posted all over 5 town; right? 6 A. Yeah. 7 Q. So everybody in town probably knew 8 what Leah Freeman looked like by 2010; is that 9 fair? 10 A. Yeah, absolutely fair. 11 Q. Okay. And probably same is true with 12 Nick McGuffin; right? 13 A. Yeah. 14 Q. By 2010 there were a lot of rumors 15 going around that Nick McGuffin had murdered 16 Leah Freeman? 17 A. Yeah. Well, I'll tell you just like I 18 told him, I says, I'm absolutely positive almost 19 that it was Leah Freeman that I saw. 20 Q. Did you tell him that you were 21 absolutely positive that it was Nick McGuffin you 22 saw? 23 A. I did not. 24 Q. What did you tell him about -- 25 A. I said, I think it was. It looked</p>

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<p style="text-align: right;">137</p> <p>1 like him. I said, Good chance of it. I don't</p> <p>2 know absolutely 100 percent.</p> <p>3 MR. FRANZ: Andy, could you speak a</p> <p>4 little bit slower and closer? It's hard to hear</p> <p>5 your question.</p> <p>6 MR. LAUERSDORF: Okay. I'm sorry.</p> <p>7 BY MR. LAUERSDORF:</p> <p>8 Q. So you told McNeely that you weren't</p> <p>9 sure that it was McGuffin?</p> <p>10 A. I said I wasn't absolutely positive.</p> <p>11 I thought it was, but I don't know Mr. McGuffin</p> <p>12 all that well. And I described the individual I</p> <p>13 saw, and I says, I believe it was, but I don't</p> <p>14 know.</p> <p>15 Q. Okay. You said you only spoke with</p> <p>16 Leah Freeman once before she went missing?</p> <p>17 A. Yeah.</p> <p>18 Q. And that was when she was about ten</p> <p>19 years old?</p> <p>20 A. Yeah.</p> <p>21 Q. Who was with you when you spoke to her</p> <p>22 at that time?</p> <p>23 A. I don't know. Probably either her</p> <p>24 Uncle Rich or somebody, you know, somebody in the</p> <p>25 family, because I just don't necessarily talk to a</p>	<p style="text-align: right;">139</p> <p>1 A. I can't say.</p> <p>2 Q. What was Leah's dad's name?</p> <p>3 A. I don't know. Oh, I do know.</p> <p>4 Denny Freeman.</p> <p>5 Q. How did you know Denny Freeman?</p> <p>6 A. He owned Denny's Pizza.</p> <p>7 Q. Did you know him personally or did</p> <p>8 you --</p> <p>9 A. I didn't know him personally. I did</p> <p>10 business with him, and he used to race four-wheel</p> <p>11 drives. So I knew he had a real hot international</p> <p>12 Scout with a Pontiac big block in it that was</p> <p>13 really fast.</p> <p>14 Q. Did you know anything about his</p> <p>15 relationship with Leah Freeman?</p> <p>16 A. None.</p> <p>17 Q. Did you ever see them together?</p> <p>18 A. If I did, I can't remember.</p> <p>19 Q. What was Leah's sister's name?</p> <p>20 A. Her sister's name?</p> <p>21 Q. Yes.</p> <p>22 A. I have no idea.</p> <p>23 Q. How about her stepmother, what is her</p> <p>24 stepmother's name?</p> <p>25 A. I have no idea.</p>
<p style="text-align: right;">138</p> <p>1 young girl on her own.</p> <p>2 Q. Did you and Ms. Freeman go to the same</p> <p>3 church?</p> <p>4 A. No. I doubt it.</p> <p>5 Q. Can you tell me the names of some of</p> <p>6 her friends at that time?</p> <p>7 A. I can't tell you. I don't hang out</p> <p>8 with young girls, so I wouldn't know.</p> <p>9 Q. Right. You would have been, what, 42</p> <p>10 at the time?</p> <p>11 A. Your guess is as good as mine.</p> <p>12 Probably.</p> <p>13 Q. What was her mom's name?</p> <p>14 A. Corliss. People called her Cory.</p> <p>15 Q. How did you know Cory?</p> <p>16 A. I've known her for a lot of years. A</p> <p>17 local family. I knew who her dad was and brothers</p> <p>18 were, I knew her sister. It's a small area.</p> <p>19 Q. Cory's sister?</p> <p>20 A. Yeah.</p> <p>21 Q. When was the last time you talked to</p> <p>22 Cory Courtright before Leah disappeared?</p> <p>23 A. What, sir?</p> <p>24 Q. When was the last time you spoke with</p> <p>25 Cory Courtright before Leah disappeared?</p>	<p style="text-align: right;">140</p> <p>1 Q. Do you know names of any of her step</p> <p>2 siblings?</p> <p>3 A. Don't know.</p> <p>4 Q. How about her uncles, how many uncles</p> <p>5 does she have?</p> <p>6 A. She has Rich Courtright, and then she</p> <p>7 has old -- he was an airborne guy. Vietnam. He</p> <p>8 used to work for the post office. What was his</p> <p>9 name? Got himself in a little legal trouble,</p> <p>10 purpose snatching at the --</p> <p>11 Q. Okay.</p> <p>12 A. What was his name? A Vietnam. 101st</p> <p>13 Airborne, Vietnam. I'm trying to think of it. A</p> <p>14 referee, a football referee, high school football</p> <p>15 referee also.</p> <p>16 Q. How about her aunts, do you know any</p> <p>17 of the names of any of her aunts?</p> <p>18 A. I know a Terri.</p> <p>19 Q. Terri what?</p> <p>20 A. She was married to the guy who worked</p> <p>21 at the post office who was the Airborne guy.</p> <p>22 Q. How often did you run into Terri</p> <p>23 before Leah disappeared?</p> <p>24 A. I would see her whenever around town.</p> <p>25 I didn't have a relationship with her in any way.</p>

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<p style="text-align: right;">173</p> <p>1 in discovery from the City of Coquille Police. If</p> <p>2 you want to take a look at the date there under</p> <p>3 the summary, it says May 18, 2010; is that right?</p> <p>4 A. That's what it says.</p> <p>5 Q. Okay. If you look at the second page</p> <p>6 of the report, there's an officer's signature</p> <p>7 there. And up above it it says, "date/officer:</p> <p>8 6/1/2010, McNeely, Jr." Do you see that?</p> <p>9 A. Right down here (indicating)?</p> <p>10 Q. That's the signature. Up above it</p> <p>11 there's a -- in print there's a --</p> <p>12 A. Yeah. Date, officer, McNeely, Jr.,</p> <p>13 and the incident number. Yeah, I see it.</p> <p>14 Q. Okay. And so in the report there --</p> <p>15 so McNeely is saying -- if you look under "Action</p> <p>16 Taken" he's saying, "On May 18, 2010, around</p> <p>17 1352 hours, OSP Detective Teresa Bowersox</p> <p>18 and I met with John James Lindegren</p> <p>19 at the Coquille Police Department."</p> <p>20 Does that refresh your recollection at</p> <p>21 all about what year you met with McNeely?</p> <p>22 A. No. I know I only met with McNeely</p> <p>23 once or twice, and it was a long time in between.</p> <p>24 Q. Okay. The next -- third paragraph</p> <p>25 down there, see where it starts, "I asked</p>	<p style="text-align: right;">175</p> <p>1 A. I did.</p> <p>2 Q. -- he said you were walking the dog --</p> <p>3 A. I wasn't.</p> <p>4 Q. -- and there was nothing else.</p> <p>5 And then on the tip sheet that we saw</p> <p>6 that you said you didn't have anything to do with,</p> <p>7 nothing was mentioned about Survivor there either.</p> <p>8 So one of the things I'm wondering</p> <p>9 about is this is now May 2010, this is ten years</p> <p>10 later?</p> <p>11 A. Yeah.</p> <p>12 Q. What was it that triggered your memory</p> <p>13 of watching Survivor in 2010?</p> <p>14 A. Something is up with this stuff here</p> <p>15 that I don't understand. I remember the night,</p> <p>16 and I remember walking by there, and I remember</p> <p>17 talking to the cops just a little time after they</p> <p>18 come out -- my sister came out, I went in, around</p> <p>19 2000 I remember talking to them. I don't remember</p> <p>20 talking to them in 2010.</p> <p>21 Q. Okay. Okay.</p> <p>22 A. I only remember talking to them one</p> <p>23 time, and that was just a week or two or three or</p> <p>24 whatever, you know, after the disappearance.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">174</p> <p>1 Lindegren"?</p> <p>2 A. Yeah. "If he remembered anything</p> <p>3 about the night"?</p> <p>4 Q. Yeah.</p> <p>5 A. Yeah.</p> <p>6 Q. And then he says, "Lindegren heard</p> <p>7 from someone that Freeman was missing,</p> <p>8 and he knew he had just seen Freeman</p> <p>9 with McGuffin the night before by</p> <p>10 his sister's house."</p> <p>11 But if I understood you correctly</p> <p>12 earlier, you said you told McNeely that you</p> <p>13 weren't 100 percent sure it was McGuffin?</p> <p>14 A. Yeah. I told him, I says, you know, I</p> <p>15 know -- I can relatively say that I knew who</p> <p>16 Freeman was, but I'm not absolutely positive it</p> <p>17 was McGuffin.</p> <p>18 Q. Okay. And then on the next line there</p> <p>19 he says, "Lindegren told me he remembers that</p> <p>20 night because he was watching the</p> <p>21 TV show Survivor with his sister."</p> <p>22 Do you see that?</p> <p>23 A. Yeah.</p> <p>24 Q. So one of the things I was wondering</p> <p>25 about is when you read what Randy Ulmer wrote --</p>	<p style="text-align: right;">176</p> <p>1 A. I don't remember talking to them at</p> <p>2 any time after that.</p> <p>3 Q. Okay. And do you remember when you</p> <p>4 started talking to them if you -- or around that</p> <p>5 time if you actually remembered watching Survivor</p> <p>6 or if that's something that Jordie told you you</p> <p>7 guys had done?</p> <p>8 A. I remember watching it.</p> <p>9 Q. Okay. All right.</p> <p>10 So if you go down there, after that it</p> <p>11 says, "Lindegren's sister still currently lives at</p> <p>12 551 West 4th Street in Coquille," I guess that's</p> <p>13 not right, right, because it's 4th Place in</p> <p>14 Coquille?</p> <p>15 A. Yeah. 551 West 4th Place.</p> <p>16 Q. Right. And she lived there on</p> <p>17 June 28, 2000?</p> <p>18 A. Yes.</p> <p>19 Q. And then he says, "Lindegren told me</p> <p>20 he left his sister's house around</p> <p>21 2100 hours or so and saw Leah Freeman</p> <p>22 and Nick McGuffin around 2115 hours</p> <p>23 on June 28th."</p> <p>24 But here's my question. You said</p> <p>25 earlier that it takes a total of ten minutes to</p>

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<p style="text-align: right;">177</p> <p>1 get from your sister's house to your home --</p> <p>2 A. Yeah.</p> <p>3 Q. -- down on West Central.</p> <p>4 So if you left at 2100 hours --</p> <p>5 A. Well, at the end -- what I said was I</p> <p>6 left at the end of Survivor, which was 9:00. I</p> <p>7 pet the dog, I talked to my sister a minute. I</p> <p>8 didn't want to dine and dash. So I probably left</p> <p>9 at ten minutes after 9:00 or even 15 minutes</p> <p>10 after. And from where I saw these people from her</p> <p>11 house is 100 yards.</p> <p>12 Q. Okay. So it would have taken you</p> <p>13 what, one, two minutes to go 100 yards?</p> <p>14 A. Yeah.</p> <p>15 Q. Okay.</p> <p>16 A. So just what I said -- 9:15 might have</p> <p>17 been 9:12, might have been 9:13, might have been</p> <p>18 9:14.</p> <p>19 Q. But when we spoke earlier you made</p> <p>20 that noise, remember (making noise).</p> <p>21 A. Yeah.</p> <p>22 Q. You were (making noise) trying to get</p> <p>23 out of there?</p> <p>24 A. Yeah. I was trying to get out of</p> <p>25 there, but I didn't -- I got out of there as fast</p>	<p style="text-align: right;">179</p> <p>1 (reading): "Officer Webley and I met Lindegren on</p> <p>2 West 4th Street in Coquille by North Elm."</p> <p>3 A. Which officer?</p> <p>4 Q. This is McNeely who's writing the</p> <p>5 report.</p> <p>6 A. Okay.</p> <p>7 Q. He says, "Officer Webley and I" --</p> <p>8 meaning McNeely -- "met Lindegren on West 4th</p> <p>9 Street in Coquille by North Elm.</p> <p>10 Lindegren placed traffic cones</p> <p>11 where he had" --</p> <p>12 A. I remember a woman. I don't remember</p> <p>13 McNeely.</p> <p>14 Q. Okay. Do you remember placing traffic</p> <p>15 cones where --</p> <p>16 A. I remember some traffic cones. I</p> <p>17 don't remember about what they wanted me to do</p> <p>18 with them or anything. I showed up, I did what</p> <p>19 they wanted me to do and left.</p> <p>20 Q. Do you remember if you placed the</p> <p>21 traffic cones or if they placed the traffic cones?</p> <p>22 A. I don't know. I can't say for</p> <p>23 absolute 100 percent.</p> <p>24 Q. Okay. Do you see if you go on there</p> <p>25 it says, "Lindegren placed traffic cones where he</p>
<p style="text-align: right;">178</p> <p>1 as I could.</p> <p>2 Q. Okay.</p> <p>3 A. But I do believe that's a correct</p> <p>4 time, 10 after to 15 after, around in there,</p> <p>5 that's accurate.</p> <p>6 Q. Could it have been as early as 9:00?</p> <p>7 A. No.</p> <p>8 Q. But you said you just basically patted</p> <p>9 the dogs on the head and then left.</p> <p>10 A. Yeah. Wrestled around with them,</p> <p>11 talked with my sister, asking her if she was going</p> <p>12 to work the next day, and then (making noise), out</p> <p>13 the door I went.</p> <p>14 Q. Then down there if you go -- see where</p> <p>15 it starts, "May 19, 2010"?</p> <p>16 A. Yeah.</p> <p>17 Q. So there he says, "May 19, 2010,</p> <p>18 around 1200 hours" --</p> <p>19 A. I don't even remember old Webley</p> <p>20 having much to do with anything.</p> <p>21 Q. Do you remember meeting Webley up on</p> <p>22 North Elm Street?</p> <p>23 A. I remember a woman maybe. I don't</p> <p>24 remember much about this incident right here.</p> <p>25 Q. Okay. Well, he says there that</p>	<p style="text-align: right;">180</p> <p>1 had seen Freeman and McGuffin on</p> <p>2 June 28, 2000, around 2115 hours."</p> <p>3 And there's one more sentence. Then</p> <p>4 after that it says, "Lindegren put himself around</p> <p>5 5 to 7 feet from where Freeman</p> <p>6 and McGuffin were standing."</p> <p>7 Is that --</p> <p>8 A. No. It was farther than that.</p> <p>9 Q. Accurate? Because earlier you said</p> <p>10 25 to 30 feet; right?</p> <p>11 A. It was longer than this room. This</p> <p>12 room is about 16 feet.</p> <p>13 Q. Okay. And he says, "Lindegren</p> <p>14 remembers saying hi to Freeman</p> <p>15 and McGuffin as he passed them."</p> <p>16 A. I may have said hello.</p> <p>17 Q. Okay. But you're not certain?</p> <p>18 A. I'm not sure now.</p> <p>19 Q. Okay.</p> <p>20 A. I know whoever was there never said</p> <p>21 elbow to me.</p> <p>22 Q. Okay. And then he says, "Lindegren</p> <p>23 had me stand in the photo where</p> <p>24 the pickup was parked that night."</p> <p>25 Do you see that last sentence?</p>

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<p>1 A. (Reading): "Had me stand in the photo 2 where the pickup was parked that 3 night." Okay. 4 Q. Do you remember any of that? 5 A. I don't. 6 Q. Okay. 7 A. This happened May 19, 2010. I can 8 only -- just like I told you before, I can only 9 remember so much about anything that happened 10 earlier than that. I only remember talking to 11 McNeely one time, when my sister said they were 12 looking for me and I went in and they interviewed 13 me, and then I took off and... 14 Q. Okay. 15 MR. LAUERSDORF: I'm going to have you 16 mark this as Exhibit 4. 17 (Deposition Exhibit No. 4 18 marked for identification.) 19 BY MR. LAUERSDORF: 20 Q. So I've had the court reporter hand 21 you what's been marked as Exhibit 4. And that's 22 the group of photos that we were provided in 23 discovery by I think the Coquille Police 24 Department. 25 Have you ever seen any of those photos</p>	<p>1 (reading): "Lindegren had me stand 2 in the photo where the pickup was 3 parked that night." 4 Is he standing where the pickup was 5 parked that night? 6 A. No. I am standing where the pickup 7 was parked. 8 Q. Was the pickup parked in the middle of 9 the road? 10 A. It was parked right here on the road, 11 but on the right side of the lane with the grille 12 facing that way (indicating throughout). 13 Q. Okay. So the -- 14 A. I walked around the truck this way. 15 Q. With the grille facing towards West 16 4th Place? 17 A. Yes. 18 Q. Okay. And West 4th Place, that white 19 house near the center of the photo, that's on 20 West 4th Place; right? 21 A. Yes. 22 Q. Okay. So the truck was facing that 23 way? 24 A. Yes, sir. 25 Q. And it was approximately where those</p>
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<p>1 before? 2 A. I have not. 3 Q. Do those photos refresh your 4 recollection about that day at all? 5 A. No. 6 Q. About the day you were out there with 7 McNeely? 8 A. I see the pictures. I don't remember 9 the incident. 10 Q. Okay. 11 A. On the top picture of number 4 here, I 12 see two cones here, that would be somewhat close 13 to where the pickup was parked. 14 Q. Okay. 15 A. And I don't know what they -- 16 Q. You're talking about page 1 of 17 Exhibit 4? 18 A. Yes. 19 Q. Who's in that photo? 20 A. It's me, and I believe it's 21 Mr. McNeely. 22 Q. Do you recognize that to be 23 Mr. McNeely? 24 A. Yeah. 25 Q. And so he says in his report there</p>	<p>1 two cones are? 2 A. Yes. 3 Q. Did you put those cones there, or did 4 somebody else put those cones there? 5 A. I don't think I did. I can't remember 6 much about this at all. I remember something to 7 do with the cones, but I have no idea what. 8 Q. Okay. So if we go to page 2 there, 9 that's another photo of the same scene, just kind 10 of taken from further back; right? 11 A. Yes. It looks like it to me. 12 Q. And is that the driveway you were 13 talking about on the -- 14 A. This one here, yes. 15 Q. Behind the brown truck? 16 A. Yeah. 17 Q. That's the driveway where you saw the 18 two folks? 19 A. When I saw the people. 20 Q. And they were further down that 21 driveway? 22 A. They were farther up this driveway. 23 They were almost to the end of this house. 24 Q. Hold on, because that's a different 25 page.</p>

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<p style="text-align: right;">185</p> <p>1 A. I'm sorry.</p> <p>2 Q. I want to talk about page 2 right now.</p> <p>3 A. Okay.</p> <p>4 Q. Do you see that tan or beige pickup</p> <p>5 truck there?</p> <p>6 A. I do.</p> <p>7 Q. Is that the truck?</p> <p>8 A. No.</p> <p>9 Q. Do you recall that truck being there</p> <p>10 on that night?</p> <p>11 A. I don't.</p> <p>12 Q. How about that blue Buick there?</p> <p>13 A. Don't know.</p> <p>14 Q. Do you recall ever seeing that --</p> <p>15 A. I never paid attention.</p> <p>16 Q. Okay. Do you recall any vehicles</p> <p>17 being parked on the side of the road where McNeely</p> <p>18 is standing in that photo?</p> <p>19 A. No, I don't.</p> <p>20 Q. Let's go to page 3. That's a good</p> <p>21 photo of the driveway?</p> <p>22 A. Right.</p> <p>23 Q. That's a carport down at the end of</p> <p>24 the driveway?</p> <p>25 A. Actually, it's -- yeah, it's a --</p>	<p style="text-align: right;">187</p> <p>1 that about where you saw these two folks for the</p> <p>2 first time when you were walking down North Elm</p> <p>3 Street on --</p> <p>4 A. No. I seen them back in the driveway</p> <p>5 on the last picture --</p> <p>6 Q. Right. But I mean --</p> <p>7 A. Right there stationary. They were</p> <p>8 standing. They weren't moving. They were</p> <p>9 stationary.</p> <p>10 Q. But where were you?</p> <p>11 A. Walking down this road. I walked</p> <p>12 around the truck where McNeely is, because the</p> <p>13 truck was parked right here (indicating</p> <p>14 throughout).</p> <p>15 Q. Okay.</p> <p>16 A. I went around this way, and went down</p> <p>17 to 4th.</p> <p>18 Q. Okay. So the truck was between you</p> <p>19 and them?</p> <p>20 A. Yeah.</p> <p>21 Q. Okay. And so then remember we talked</p> <p>22 about this earlier and I said to you, Did you see</p> <p>23 them while you were walking down North Elm Street?</p> <p>24 And you said, No. I didn't see them until I got</p> <p>25 to the driveway --</p>
<p style="text-align: right;">186</p> <p>1 actually, that's a little rental house is what</p> <p>2 that is.</p> <p>3 Q. Okay.</p> <p>4 A. And that little cover over it is a</p> <p>5 mylar, a roof, a clear roof. And I saw the people</p> <p>6 right here, pretty much at the end of the house or</p> <p>7 maybe a little bit in this direction.</p> <p>8 Q. Okay. At the end of the house toward</p> <p>9 where the mylar roof is, or at the end of the</p> <p>10 house where the mailbox is?</p> <p>11 A. The front house here --</p> <p>12 Q. Yeah.</p> <p>13 A. -- within -- I don't know. Within the</p> <p>14 last window in the end of the house. So that</p> <p>15 would be about 30 feet.</p> <p>16 Q. Okay. So not where the cones are?</p> <p>17 A. No.</p> <p>18 Q. Okay. Then you go to the next page.</p> <p>19 That is you and Officer McNeely again; is that</p> <p>20 right?</p> <p>21 A. Yeah.</p> <p>22 Q. But this view is facing towards West</p> <p>23 4th Street; right?</p> <p>24 A. Yes. You're right.</p> <p>25 Q. And so where you're standing there, is</p>	<p style="text-align: right;">188</p> <p>1 A. Yeah.</p> <p>2 Q. -- and I looked down the driveway?</p> <p>3 So where you're standing there is</p> <p>4 about where the driveway is. So is that about</p> <p>5 where --</p> <p>6 A. Right.</p> <p>7 Q. So let me finish.</p> <p>8 Is that about where you were the first</p> <p>9 time you saw them?</p> <p>10 A. Yeah. Right where I'm standing there,</p> <p>11 yeah, probably really close.</p> <p>12 Q. Okay. And then --</p> <p>13 A. I was a little more towards where --</p> <p>14 probably where McNeely is.</p> <p>15 Q. Okay.</p> <p>16 A. Because the truck was parked here,</p> <p>17 right up here.</p> <p>18 Q. Where the cones are?</p> <p>19 A. Yeah.</p> <p>20 Q. Okay. And I'm going to have you</p> <p>21 actually draw some things in on the same set of</p> <p>22 photos, but I'm going to give you a different copy</p> <p>23 because we're going to create a new exhibit. So</p> <p>24 I'm going to have you draw some things in in a</p> <p>25 second, but right now I'm just trying to get a</p>



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<p style="text-align: right;">209</p> <p>1 officers. I do remember with the Gabriel Morris I</p> <p>2 had an FBI officer.</p> <p>3 Q. Okay. When you talked to Randy Ulmer,</p> <p>4 did you go to him or did he come to you?</p> <p>5 A. I can't picture me going to go talk to</p> <p>6 him. He had to come talk to me.</p> <p>7 Q. But you don't remember where you were</p> <p>8 when you talked to him?</p> <p>9 A. I have no idea, sir.</p> <p>10 Q. Then after you mentioned the FBI</p> <p>11 officers, he says, "Okay." And you say, "And I</p> <p>12 told them, and they said, Well,</p> <p>13 thank you very much. We'll be</p> <p>14 talking to you. And that was about</p> <p>15 ten years ago."</p> <p>16 So if I understand correctly what</p> <p>17 you're telling the grand jury there is that you</p> <p>18 hadn't talked to anybody in the ten years between</p> <p>19 when Randy Ulmer talked to you and you're at the</p> <p>20 grand jury?</p> <p>21 A. Evidently. Yeah, I had very little</p> <p>22 contact with any cops of any kind, very little.</p> <p>23 They never showed me pictures of the people, never</p> <p>24 did a lineup. I thought it was odd.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">211</p> <p>1 say, "Absolutely."</p> <p>2 A. "Absolutely." I see that.</p> <p>3 Q. Now, line 25 he says, "I'm going to</p> <p>4 have one of those officers come</p> <p>5 and tell the grand jury exactly</p> <p>6 where that was at and so forth."</p> <p>7 Did anybody ever explain to you -- did</p> <p>8 Frasier ever explain to you why he didn't want you</p> <p>9 to explain to the grand jury where they were at?</p> <p>10 A. No. I can't even remember testifying</p> <p>11 there.</p> <p>12 Q. Okay. Do you remember him putting any</p> <p>13 photos in front of you at the grand jury or</p> <p>14 anything?</p> <p>15 A. No.</p> <p>16 Q. And nobody ever --</p> <p>17 A. This is the first time I saw any</p> <p>18 photos.</p> <p>19 Q. Okay. And nobody ever explained to</p> <p>20 you why he wanted to have the officers explain</p> <p>21 what you pointed out rather than have you explain</p> <p>22 what you were pointing out?</p> <p>23 A. Again, I did not have hardly any</p> <p>24 contact with them for, like, years and years and</p> <p>25 years --</p>
<p style="text-align: right;">210</p> <p>1 A. I thought they would do a lineup so I</p> <p>2 could prove I knew what I was talking about, and</p> <p>3 never did anything like that. Never did -- didn't</p> <p>4 talk to me hardly much.</p> <p>5 Q. Did you ask them about that at all?</p> <p>6 A. No. I just figured they know more</p> <p>7 about cop work than I do. But I'd have done it a</p> <p>8 lot different.</p> <p>9 Q. Okay. Okay. Then he goes on, and he</p> <p>10 says in line 14, "Now, earlier this year, the</p> <p>11 police came back to you and talked</p> <p>12 with you about that?" And you say,</p> <p>13 "Absolutely."</p> <p>14 Line 17 it says -- do you see where</p> <p>15 I'm at?</p> <p>16 A. I see it now.</p> <p>17 Q. I'm at line 17 now. (Reading): "And</p> <p>18 did they ask you to go with them</p> <p>19 and point out where you were?"</p> <p>20 "Answer: Yes."</p> <p>21 A. Yeah, I see that.</p> <p>22 Q. Line 20. (Reading): "And did you do</p> <p>23 that, sir?" And you say, "Yes, sir,</p> <p>24 I did." "And you showed them exactly</p> <p>25 where this all occurred?" And you</p>	<p style="text-align: right;">212</p> <p>1 Q. Okay.</p> <p>2 A. -- you know.</p> <p>3 Q. Then if you go down to line 20, one of</p> <p>4 the grand jurors asks you a question.</p> <p>5 Apparently --</p> <p>6 A. Number 20?</p> <p>7 Q. Yeah. Apparently it's a female</p> <p>8 because your answer was, "No, ma'am." But she</p> <p>9 says, "Do you know what color the pickup was?"</p> <p>10 And you said, "No, ma'am. See, I</p> <p>11 had not known -- you know, if I</p> <p>12 had known something was up, I</p> <p>13 would have took, you know, mental</p> <p>14 notes, but I was just heading home."</p> <p>15 A. Uh-huh. I do believe it was brown</p> <p>16 now, but I could not -- I could not even state</p> <p>17 100 percent.</p> <p>18 Q. So you believe it's brown now, after</p> <p>19 reading the police reports we discussed today?</p> <p>20 A. Yeah.</p> <p>21 Q. Okay. But back when you were</p> <p>22 testifying in front of the grand jury, you didn't</p> <p>23 know what color it was?</p> <p>24 A. Yeah. And I probably didn't -- to be</p> <p>25 honest, because it was so -- so immaterial to me,</p>

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<p style="text-align: right;">229</p> <p>1 Q. Would you like to have seen that</p> <p>2 before you testified today?</p> <p>3 A. Would I have liked to see it before I</p> <p>4 testified? No. It doesn't matter. You ask me</p> <p>5 the questions now, and I will answer them to the</p> <p>6 best of my ability.</p> <p>7 I can't even remember testifying at</p> <p>8 the grand jury. I do remember testifying at the</p> <p>9 trial.</p> <p>10 Q. Do you think that transcript is a fake</p> <p>11 of your grand jury testimony, or do you think that</p> <p>12 you just don't --</p> <p>13 A. Well, I don't think they're fake.</p> <p>14 That would be kind of hard to believe, wouldn't</p> <p>15 it? I guess there's a possibility, like a 1 in</p> <p>16 100 million, but I believe that I did go there,</p> <p>17 but I just don't remember it.</p> <p>18 MR. FRANZ: Okay. That's all the</p> <p>19 questions I have. Thanks a lot.</p> <p>20 THE WITNESS: Thank you, sir.</p> <p>21 MR. DAVIS: This is Jesse Davis. Are</p> <p>22 you able to hear me, Mr. Lindegren?</p> <p>23 THE WITNESS: I am, sir.</p> <p>24 MR. DAVIS: My voice may break a</p> <p>25 little bit. I've got a little bit of the cold and</p>	<p style="text-align: right;">231</p> <p>1 question make sense?</p> <p>2 A. From what I've read here in these</p> <p>3 transcripts and what I remember that you guys have</p> <p>4 talked to, yeah. I told you what I remember when</p> <p>5 I was being interviewed earlier, and that's all I</p> <p>6 can -- that's all I can go by, sir, is what I</p> <p>7 remember.</p> <p>8 Q. Understood.</p> <p>9 So it looks like there's been, you</p> <p>10 know, at least three occasions where you've</p> <p>11 testified under oath about what you saw; right?</p> <p>12 A. I believe you're right.</p> <p>13 Q. And they may not be perfectly</p> <p>14 consistent with each other; right?</p> <p>15 A. I agree.</p> <p>16 Q. Is it the case that in each instance</p> <p>17 you testified truthfully as best you remembered it</p> <p>18 at that time?</p> <p>19 A. Yeah.</p> <p>20 Q. And that's true for today as well?</p> <p>21 A. Yes. I'm not a bullshitter.</p> <p>22 Q. Right. And it sounds like you</p> <p>23 understand or believe that you're not a</p> <p>24 bullshitter, but that still your memory might be</p> <p>25 different at one different time than another, and</p>
<p style="text-align: right;">230</p> <p>1 flu that's been going around, so I apologize for</p> <p>2 that. I'll try to talk slowly so that we don't</p> <p>3 have any trouble with the transcript, and I'll ask</p> <p>4 you to do the same.</p> <p>5</p> <p>6 EXAMINATION</p> <p>7 BY MR. DAVIS:</p> <p>8 Q. Going back to your conversation with</p> <p>9 Andrew Lauersdorf, what else did you guys talk</p> <p>10 about during your conversation?</p> <p>11 A. He liked to come down here because he</p> <p>12 liked to take his pickup out in the mud and</p> <p>13 squirrel around a little bit, he told me that he</p> <p>14 had a case down here with the old World War II</p> <p>15 hangar at the airport here, and we might have</p> <p>16 talked a little about trapping from my side, and</p> <p>17 that's about all I recall, sir.</p> <p>18 Q. All right. Thank you.</p> <p>19 Returning to your transcript that</p> <p>20 you've been shown today, is it accurate to say</p> <p>21 that it looks like from your grand jury transcript</p> <p>22 and from what you were told about your testimony</p> <p>23 at the criminal trial that you've said different</p> <p>24 things today than what you've said during those</p> <p>25 occasions where you've testified? Does that</p>	<p style="text-align: right;">232</p> <p>1 that's why the times when you've testified might</p> <p>2 not be consistent with each other?</p> <p>3 A. Correct. That's the only answer I</p> <p>4 got. It's been 22 years ago.</p> <p>5 Q. Understood.</p> <p>6 And did you ever get the sense in</p> <p>7 talking with any law enforcement officer that that</p> <p>8 law enforcement officer was attempting to</p> <p>9 influence or manipulate you in what you were going</p> <p>10 to say or testify?</p> <p>11 A. I have no idea. They asked me</p> <p>12 questions. I don't know the game. Could I have</p> <p>13 been led? I probably could have, because I'm just</p> <p>14 an old hillbilly. I ain't none all that brilliant</p> <p>15 when it comes to law work. Could I have been led?</p> <p>16 Yeah, probably. But did anybody outwardly try</p> <p>17 anything with me? No. They would never try that.</p> <p>18 Anybody try to talk me into testifying some way, I</p> <p>19 would never have done it, and I would whip their</p> <p>20 ass.</p> <p>21 Q. Mr. Lindegren, you broke up when you</p> <p>22 spoke, but that's okay as long as the court</p> <p>23 reporter was able to get your testimony --</p> <p>24 A. Yeah, she's nodding her head.</p> <p>25 I will repeat it, if you wish?</p>

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<p style="text-align: right;">233</p> <p>1 Q. That would be fine.</p> <p>2 A. Okay. Yeah. Could I have been led,</p> <p>3 yeah, probably. I'm just a darn hillbilly, you</p> <p>4 know. I ain't no law enforcement guru or no</p> <p>5 attorney guru. You know, you guys are way above</p> <p>6 my pay grade. But did anybody just come out and</p> <p>7 say, This is what we want you to say or do or</p> <p>8 anything? No, they would never say that to me.</p> <p>9 If they did, I'd whip their ass, I said.</p> <p>10 Q. Thanks, Mr. Lindegren. It sounds like</p> <p>11 it's the case that if someone asked you questions,</p> <p>12 you answer those questions truthfully and then you</p> <p>13 moved on. Is that true?</p> <p>14 A. That's correct.</p> <p>15 Q. Before last night when you met with</p> <p>16 Andrew Lauersdorf, had you had any contact with</p> <p>17 anybody on what I would describe as Mr. McGuffin's</p> <p>18 legal team, meaning, Mr. Lauersdorf or Ms. Puracal</p> <p>19 who's there with you? Did you have any</p> <p>20 conversations or contact with anybody else from</p> <p>21 their team?</p> <p>22 A. Yeah, I did. I don't know -- a woman</p> <p>23 kept sending me text messages and stuff. Ramirez</p> <p>24 maybe. And she was trying to set up a meeting.</p> <p>25 And then I contacted his law office several times</p>	<p style="text-align: right;">235</p> <p>1 am today.</p> <p>2 Q. Okay. Thank you.</p> <p>3 Before today, did you ever have any</p> <p>4 discussions with the person you described as</p> <p>5 Ms. Ramirez or anybody else? Did you ever just</p> <p>6 talk about the substance of your -- of the things</p> <p>7 you talked about today, your discussions with law</p> <p>8 enforcement back in 2000 or 2010? Did any of</p> <p>9 those discussions occur before last night?</p> <p>10 A. Nothing. No.</p> <p>11 Q. So all of those text messages or</p> <p>12 contacts with Ms. Ramirez were just about setting</p> <p>13 up times --</p> <p>14 A. Setting up dates and a place for the</p> <p>15 deposition.</p> <p>16 Q. All right. Thank you.</p> <p>17 MR. DAVIS: One moment while I take a</p> <p>18 quick look here. I don't have any more questions.</p> <p>19 Thank you.</p> <p>20 MR. LAUERSDORF: Ms. Schaffer?</p> <p>21 MS. SCHAFFER: This is Karin Schaffer.</p> <p>22 I have no questions for this witness.</p> <p>23 MR. LAUERSDORF: Let's take a break</p> <p>24 for just a second. I want to see if I have any</p> <p>25 follow-up.</p>
<p style="text-align: right;">234</p> <p>1 through her and the number and nobody ever got</p> <p>2 back to me, but I don't know if the attorney here</p> <p>3 ever got my message or not. That's the only</p> <p>4 contact.</p> <p>5 This was going to happen at the Mill</p> <p>6 Casino months ago, and then it was -- she</p> <p>7 contacted me with a text message and said it was</p> <p>8 canceled. That's the only contact I've had with</p> <p>9 any law office.</p> <p>10 Q. Okay. Thank you.</p> <p>11 And that person named Ramirez, that</p> <p>12 was a woman, you said?</p> <p>13 A. Uh-huh. Yeah. Achez (phonetic) or</p> <p>14 something. That was her name. Achaz or Chez</p> <p>15 or -- real pretty voice, but I have no idea who it</p> <p>16 is. But I called and I sent text messages trying</p> <p>17 to get a -- because I didn't want to have to drive</p> <p>18 all the way over here to North Bend, 100 miles</p> <p>19 from my house. I get four miles to the gallon in</p> <p>20 my old truck. And I wanted to set it up some</p> <p>21 other place, and we never could get together. I</p> <p>22 called this woman who was his secretary, I</p> <p>23 believe, at his law office. I sent her text</p> <p>24 messages, plus I talked to her on the phone a</p> <p>25 couple of times, but that didn't happen so here I</p>	<p style="text-align: right;">236</p> <p>1 (Recess: 3:32 p.m. to 3:33 p.m.)</p> <p>2 MR. LAUERSDORF: I don't have any</p> <p>3 follow-up, so from my perspective, we're done.</p> <p>4 (Deposition concluded at 3:34 p.m.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

John J. Lindegren

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1 State of Oregon )  
2 County of Douglas ) ss.  
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4 I, Denise C. Zito Smith, CSR, a  
5 Certified Shorthand Reporter for the State of  
6 Oregon, hereby certify that the witness was sworn  
7 and the transcript is a true record of the  
8 testimony given by the witness; that at said time  
9 and place I reported by stenotype all testimony  
10 and other oral proceedings had in the foregoing  
11 matter; that the foregoing transcript consisting  
12 of 236 pages contains a full, true, and correct  
13 transcript of said proceedings reported by me to  
14 the best of my ability on said date.

15 If any of the parties or the witness  
16 requested review of the transcript at the time of  
17 the proceedings, such correction pages are  
18 included.

19 IN WITNESS WHEREOF, I have set my hand  
20 this 18th day of January 2023, in the City of  
21 Canyonville, County of Douglas, State of Oregon.  
22

23 

24 Denise C. Zito Smith  
25 Oregon CSR No. 01-0375  
Expires 9/30/2024

1 Case Name: McGuffin vs. Dannels, et al.

2 Deponent: John J. Lindegren

3  
4 Page Line Reason Correction

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18 I hereby certify that I have read the  
19 deposition taken January 4, 2023, and that this  
20 deposition, together with any corrections or  
additions, is a true and accurate record of my  
testimony:

21

22

23 \_\_\_\_\_  
Witness's Signature

24

25

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